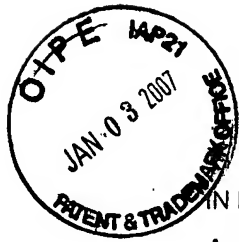


01-05-07

SPW

Express Mail Label No. EV 326 985 019 US

Attorney Docket No.: 37087-8005.US01



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: BINGHAM ET AL.

APPLICATION NO.: 10/802,530

FILING DATE: MARCH 17, 2004

FOR: METHODS OF REPRESENTING GENE  
PRODUCT SEQUENCES AND  
EXPRESSION

EXAMINER: PATEL, JAYANTI K.

ART UNIT: 2611

CONF. NO: 3519

**Information Disclosure Statement Within Three Months of  
Application Filing or Before First Action – 37 C.F.R. § 1.97(b)**Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**A. Timing of Submission**

This information disclosure is being filed within three months of the filing date of this application or date of entry into the National Stage of an International Application or before the mailing date of a first Office Action on the merits or before the mailing date of a first Office Action on the merits after the filing of a Request for Continued Examination under 37 CFR §1.114, whichever occurs last (37 CFR 1.97(b)(4)). The references listed on the enclosed Form PTO-1449 (modified) may be material to the examination of this application; the Examiner is requested to make them of record in the application.

**B. Cited Information**

- ☒ Copies of references 1-16 are issued patent(s) and published application(s) and are not included (see C.F.R. § 1.98(a)(2)(i)).
- ☒ Copies of references 17-84 are enclosed.

**C. Effect of Information Disclosure Statement (37 C.F.R. § 1.97(h))**

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not

exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

**D. Fee Payment**

No fees are believed due because this Information Disclosure Statement is being filed before the mailing date of the first Office Action. However, should the Commissioner determine that fees are due in order for this Information Disclosure Statement to be considered, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-2207.

**E. Patent Term Adjustment (37 C.F.R. § 1.704(d))**

- ☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

Respectfully submitted,  
Perkins Coie LLP

Date: 12.29.06

Judy M. Mohr  
Judy M. Mohr  
Registration No. 38,563

**Correspondence Address:**

Customer No. 22918  
Perkins Coie LLP  
P.O. Box 2168  
Menlo Park, California 94026  
(650) 838-4300



**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

Form PTO-1449 (Modified)  
Use several sheets if necessary)

**COMPLETE IF KNOWN**

Application Number	10/802,530
Confirmation Number	3519
Filing Date	March 17, 2004
First Named Inventor	Bingham et al.
Group Art Unit	2611
Examiner Name	Patel, Jayanti K.
Attorney Docket No.	37087-8005.US01

1

of

5

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No.	U.S. Patent or Application		Name of Patentee or Inventor of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		NUMBER	Kind Code (if known)			
	1.	5,057,410		Kawasaki <i>et al.</i>	10/91	
	2.	6,001,567		Brow et al.	12/99	
	3.	6,007,231		Vijg <i>et al.</i>	12/99	
	4.	6,100,030		McCasky Feazel et al.	8/00	
	5.	6,171,793	B1	Phillips <i>et al.</i>	1/01	
	6.	6,210,892	B1	Bennett <i>et al.</i>	4/01	
	7.	6,303,301		Mack, David H.	10/01	
	8.	6,632,610		Thill, Gilbert	10/03	
	9.	6,713,257		Shoemaker <i>et al.</i>	3/04	
	10.	6,881,571	B1	Bennett et al.	4/01	
	11.	6,887,662		Alajem et al.	5/05	
	12.	2003/0040870	A1	Anderson et al.	2/03	
	13.	2002/0048762	A1	Penn <i>et al.</i>	4/02	
	14.	2002/0081590	A1	Penn <i>et al.</i>	6/02	
	15.	2003/0097223	A1	Nakae <i>et al.</i>	5/03	
	16.	2003/0219805	A1	Kelman et al.	11/03	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Foreign Patent or Application			Name of Patentee or Applicant of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office	NUMBER	Kind Code (if known)				
	17.	EP	0 668 350	A1	Adema <i>et al.</i>	8/95		
	18.	PCT	WO 99/46403	A1	Schweighoffer	9/99		
	19.	PCT	WO 00/47765		Goding	8/00		
	20.	PCT	WO 01/81632	A1	Balaban	11/01		
	21.	PCT	WO 02/16650	A2	Shoemaker <i>et al.</i>	2/02		

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application(s).

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Form PTO-1449 (Modified) (Use several sheets if necessary)				<b>COMPLETE IF KNOWN</b>	
				Application Number	10/802,530
				Confirmation Number	3519
				Filing Date	March 17, 2004
				First Named Inventor	Bingham et al.
				Group Art Unit	2611
				Examiner Name	Patel, Jayanti K.
Sheet	2	of	5	Attorney Docket No.	37087-8005.US01

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No.	Foreign Patent or Application			Name of Patentee or Applicant of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office	NUMBER	Kind Code (if known)				
	22.	PCT	WO 02/068579	A2	Venter <i>et al.</i>	9/02		

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.		T
	23.	Adams, M.D., <i>et al.</i> , <i>Science</i> , <u>252</u> :1651-1656 (1991).		
	24.	Ars et al., <i>Hum. Mol. Genet.</i> , <u>9</u> (2):237-247 (2000).		
	25.	Black, D., <i>Annual Rev. Biochem.</i> , <u>72</u> :291-336 (2003).		
	26.	Black, D.L., <i>Cell</i> , <u>103</u> :367-370 (2000).		
	27.	Boue et al., <i>BioEssays</i> , <u>25</u> (11):1031-1034 (2003).		
	28.	Bracco et al., <i>Trends in Biotechnology</i> , <u>21</u> (8):346-353 (2003).		
	29.	Brown, P.O. and Botstein, D., <i>Nature Genetics Supplement</i> , <u>21</u> :33-37 (1999).		
	30.	Burge, C. and Karlin, S., <i>J. Mol. Biol.</i> , <u>268</u> (1):78-94 (1997).		
	31.	Caceres et al., <i>Science</i> , <u>265</u> (5179):1706-1709 (1994).		
	32.	Caceres et al., <i>Trends in Genetics</i> , <u>18</u> (4):186-193 (2002).		
	33.	Colnot et al., <i>Cancer Immunol. Immunother.</i> , <u>52</u> :576-82 (2003).		
	34.	Cooper et al., <i>J. Pathol.</i> , <u>177</u> (1):1-3 (1995).		
	35.	Deutsch et al., <i>Nucleic Acids Res.</i> , <u>27</u> (15):3219-3228 (1999).		
	36.	Dreyfuss et al., <i>Cell</i> , <u>85</u> (7):963-972 (1996).		
	37.	Gallacchi et al., <i>Int. J. Cancer</i> , <u>79</u> (1):44-48 (1998).		

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance <u>and</u> not considered. Include copy of this form with next communication to application(s).	

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Form PTO-1449 (Modified) (Use several sheets if necessary)				<b>COMPLETE IF KNOWN</b>	
				Application Number	10/802,530
				Confirmation Number	3519
				Filing Date	March 17, 2004
				First Named Inventor	Bingham et al.
				Group Art Unit	2611
				Examiner Name	Patel, Jayanti K.
Sheet	3	of	5	Attorney Docket No.	37087-8005.US01

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	T	
	38.	Gelbart, W., <i>Science</i> , <u>282</u> :659-661 (1998).		
	39.	Graveley, B., <i>Trends in Genetics</i> , <u>17</u> (2):100-107 (2001).		
	40.	Hanioka et al., <i>Am J. Hum. Genetics</i> , <u>47</u> (6):994-1001 (1990).		
	41.	Hanke, J., et al., <i>Trends in Genetics</i> , <u>15</u> (10):389-390 (1999).		
	42.	He et al., <i>Mol. Endocrinol.</i> , <u>13</u> (4):537-545 (1999).		
	43.	Hu, G.K., et al., <i>Genome Research</i> , <u>11</u> :1237-1245 (2001).		
	44.	Jiang et al., <i>Proc. Soc. Exp. Biol. Med.</i> , <u>220</u> (2):64-72 (1999).		
	45.	Johnson et al., <i>Science</i> , <u>302</u> (5653):2141-2144 (2003).		
	46.	Kan et al., <i>Genome Res.</i> , <u>11</u> (5):889-900 (2001).		
	47.	Kan, Z., et al., <i>Genome Research</i> , <u>11</u> :889-900 (2001).		
	48.	Kopelman et al., <i>Nature Genetics</i> , <u>37</u> (6):588-589 (2005).		
	49.	Krawczak et al., <i>Human Genet.</i> , <u>90</u> :41-54 (1992).		
	50.	Kriventseva et al., <i>Trends Genetics</i> , <u>19</u> (3):124-128 (2003).		
	51.	Kwiatkowski et al., <i>Urology</i> , <u>52</u> (3):360-365 (1998).		
	52.	Lander, E.S., et al., <i>Nature</i> , <u>409</u> :860-921 (2001).		
	53.	Lin et al., <i>Neuron</i> , <u>18</u> :153-166 (1997).		
	54.	Lopez A.J., <i>Annual Rev. Genetics</i> , <u>32</u> :279-305 (1998).		
	55.	Lu et al., <i>Cancer Res.</i> , <u>63</u> (21):7056-7061 (2003).		

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance <u>and</u> not considered. Include copy of this form with next communication to application(s).	

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Form PTO-1449 (Modified) (Use several sheets if necessary)				<b>COMPLETE IF KNOWN</b>	
				Application Number	10/802,530
				Confirmation Number	3519
				Filing Date	March 17, 2004
				First Named Inventor	Bingham et al.
				Group Art Unit	2611
				Examiner Name	Patel, Jayanti K.
Sheet	4	of	5	Attorney Docket No.	37087-8005.US01

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	T	
	56.	Maas et al., <i>Clinical Cancer Research</i> , <u>7</u> :868-875 (2001).		
	57.	Maniatis, T., <i>Nature</i> , <u>418</u> (6894):236-243 (2002).		
	58.	Mayeda et al, <i>Mol. Cell Biol.</i> , <u>19</u> (3):1853-63 (1999).		
	59.	Mercatante et al., <i>J. Biol. Chem.</i> , <u>276</u> (19):16411-7 (2001).		
	60.	Modrek et al., <i>Nature Genetics</i> , <u>34</u> (2):177-180 (2003).		
	61.	Murphy et al., <i>Pharmacogenetics</i> , <u>10</u> (7):583-590 (2000).		
	62.	Nilsen, T.W., <i>Bioessays</i> , <u>25</u> :1147-1149 (2003).		
	63.	Rodriguez et al., <i>Int. J. Cancer.</i> , <u>64</u> (5):347-354 (1995).		
	64.	Rozen et al., Bioinformatics: Methods and Protocols: (Misener and Krawetz EDS. Methods in Molecular Biology Vol. 132, Humana Press, Totowa, NJ, Chapter 20, pg 365-386) (2000).		
	65.	Rudy et al., <i>Cancer Res.</i> , <u>53</u> (6):1262-1268 (1993).		
	66.	Schwerk et al, <i>Mol. Cell</i> , <u>19</u> (1):1-13 (2005).		
	67.	Shoemaker, D.D., et al., <i>Nature</i> , <u>409</u> :922-926 (2001).		
	68.	Siegel et al., <i>Embo J.</i> , <u>18</u> (8):2149-2164 (1999).		
	69.	Singh, Gautam B., Bioinformatics: Methods and Protocols:(Misener and Krawetz EDS. Methods in Molecular Biology Vol. 132, Humana Press, Totowa, NJ, Chapter 19, pg 351-364) (2000).		
	70.	Slawin et al., <i>Cancer Res.</i> , <u>60</u> :7142-48 (2000).		
	71.	Sorek, R. and Amitai, M., <i>Nature Biotechnology</i> , <u>19</u> :196 (2001).		

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance <u>and</u> not considered. Include copy of this form with next communication to application(s).	

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Form PTO-1449 (Modified) (Use several sheets if necessary)				<b>COMPLETE IF KNOWN</b>	
				Application Number	10/802,530
				Confirmation Number	3519
				Filing Date	March 17, 2004
				First Named Inventor	Bingham et al.
				Group Art Unit	2611
				Examiner Name	Patel, Jayanti K.
Sheet	5	of	5	Attorney Docket No.	37087-8005.US01

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	T
	72.	Staley et al., <i>Cell</i> , <u>92</u> :315-326 (1998).	
	73.	Stenson et al., <i>Hum. Mutat.</i> , <u>21</u> (6):577-581 (2003).	
	74.	Stickeler et al., <i>Oncogene</i> , <u>18</u> (24):3574-2582 (1999).	
	75.	Stroomer et al., <i>Clinical Cancer Res.</i> , <u>6</u> :3046-3055 (2000).	
	76.	Svineng et al., <i>Biochemical Journal</i> , <u>330</u> :1255-1263 (1998).	
	77.	Tarn et al., <i>Trends in Biochem Sci.</i> , <u>22</u> :132-137 (1997).	
	78.	Varga et al., <i>Oncogene</i> , <u>24</u> (32):5043-52 (2005).	
	79.	Virts et al., <i>Molecular Immunology</i> , <u>35</u> :167-176 (1998).	
	80.	Wang et al., <i>Cancer Res.</i> , <u>63</u> (3):655-657 (2003).	
	81.	Will et al., <i>Current Opinion Cell Biol.</i> , <u>9</u> :320-328 (1997).	
	82.	Williams et al., <i>Analytical Biochemistry</i> , <u>271</u> :194-197 (1999).	
	83.	Wu et al., <i>Prog. Mol. Subcell. Biol.</i> , <u>31</u> :153-185 (2003).	
	84.	Xu et al., <i>Genes, Chromosomes &amp; Cancer</i> , <u>18</u> (2):102-110 (1997).	

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance <u>and</u> not considered. Include copy of this form with next communication to application(s).	